

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Daniel Lootz and KurtKranz

Application No.: 09/939,211  
Filed: August 24, 2001  
For: REPOSITIONABLE STENTGroup No.: 3731  
Examiner: Michael Thaler**Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450****NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)**

Patent Owner hereby appeals to the Board from the decision of the Examiner, mailed February 8, 2006, finally rejecting claims 1, 5, 6, 8-10, 12-18, 20, 44, 64, 67, 70, 71, 74-78, 81, 82, 85, 86, 89, 90, 94, 100 and 105-122.

Transmitted herewith is a Statement Accompanying Request for Pre-Appeal Brief Review.

**1. STATUS OF APPLICANT**

This application is on behalf of other than a small entity.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

|                          |          |
|--------------------------|----------|
| Notice of Appeal fee due | \$500.00 |
|--------------------------|----------|

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

|     |          |
|-----|----------|
| Fee | \$120.00 |
|-----|----------|

If an additional extension of time is required, please consider this a petition therefor.

#### **4. TOTAL FEE DUE**

The total fee due is:

|                      |                        |
|----------------------|------------------------|
| Notice of Appeal fee | \$500.00               |
| Extension fee        | <u>\$120.00</u>        |
| <b>TOTAL FEE DUE</b> | <b><u>\$620.00</u></b> |

#### **5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$620.00 to Deposit Account No. 15-0450.

#### **6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 15-0450.

Date: 8 June 2006



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